

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 4105-01
BILL NO. HB 1769
SUBJECT: Probation and Parole
TYPE: Original
DATE: February 14, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator, Office of Prosecution Services, Office of State Public Defender**, and the **Department of Public Safety - Missouri Highway Patrol** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Corrections (DOC)** assume that during calendar year 1999, over 11,000 arrest warrants were entered directly into computerized systems by DOC to apprehend offenders under community supervision who absconded supervision or otherwise represented a risk to the public. Of that number, over 4,500 warrants were issued statewide on probation cases through local probation offices. Under current statutory authority, probation officers may issue an arrest warrant through the local probation and parole office at the time they have probable cause to believe a person on probation has violated conditions of that probation with the approval of their office supervisor.

If enacted, this proposal requires that the officer now obtain the arrest warrant from a court of competent jurisdiction rather than causing the warrant to be issued directly. DOC assumes this change in procedure will delay the warrant issuance process and result in some additional time and work on the part of the officer to formally petition the court for the warrant.

DOC assumes the additional effort resulting from this proposal will have minimal fiscal impact on the agency as it will be spread over some 1,300 probation/parole officers supervising a probation caseload of over 50,000 offenders.

DOC does predict an increased impact on the local courts which will now have to review each petition and direct the chief law enforcement agency in the jurisdiction to enter the warrant. Under this proposal, the local law enforcement agency becomes the originator for the warrant rather than the probation and parole office. In larger metropolitan jurisdictions, this change in process will likely cause considerable delay in issuing warrants compared to the present system.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	0	0	0

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FISCAL IMPACT - Small Business

No direct fiscal impact on small businesses would be expected due to this proposal.

DESCRIPTION

The proposed legislation requires probation officers to secure an arrest warrant from a court before arresting a person suspected of violating a condition of parole.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections
Office of State Courts Administrator
Office of Prosecution Services
Office of State Public Defender
Department of Public Safety - Missouri Highway Patrol

A handwritten signature in black ink, appearing to read "Jeanne Jarrett".

Jeanne Jarrett, CPA
Director
February 14, 2000